IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL **APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.1969 OF 2005

Ramesh Rambhau Bansode, .. Applicant
Vs
The State of Maharashtra, .. Opponent
Mr Rajendra Shirodkar, Advocate for the applicant.
Nr V.B.Konde-Deshmukh, APP for the respondent.

Chamber matter.

CORAM : D.B.BHOSALE, J.

DATE : April 19, 2005.

P.C.

1. Heard Mr Rajendra Shirodkar, learned counsel for the applicant and Mr Konde-Deshmukh, learned APP for the respondent.

2. This is the second application by the present applicant seeking bail in C.R. I-5/04 registered at Yeola Police Station under section 302 read with 34 of Indian Penal Code. His earlier application bearing No. 2508/2004 filed along with co-accused Dadasaheb Rambhau Bansode was rejected vide order dated 14.7.2004.

3. Mr Rajendra Shirodkar, learned counsel for the applicant, pressed this application on parity with co-accused Dadasaheb Rambhau Bansode, who is

brother of the present applicant. He contended that there is absolutely no difference between the role played by Dadasaheb Rambhau Bansode and the present applicant, and certain material was not pointed out when the earlier application was being argued. He took me through the statements of Ishwaria and Aditya, the children of the deceased, as also the statement of Daulat. I perused the statements of these witnesses. In my earlier order dated 14th July, 2004 I have recorded the reasons for releasing the co-accused Dadasaheb Rambhau Bansode on bail and for rejecting the prayer of the present applicant after perusing the entire material on record. The order clearly demonstrates the distinction between the role played by Dadasaheb and the applicant. In my opinion, no case for bail is made out and/or change of circumstance is pointed out by the learned Advocate for the applicant. In view thereof, I am not inclined to grant bail. The application is accordingly rejected.

(D.B.Bhosale, J.)

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